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## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI JACKSON DIVISION

	X	
	:	Case No. 08-03423-EE
In re:	:	
	:	Chapter 11
WAREHOUSE 86, LLC,	:	100 Aug
Debtor.	:	
	:	
	:	
	x	

## LIMITED RESPONSE OF SCK, INC. AND RADIOSHACK CORPORATION TO DEBTOR'S MOTION TO COMPROMISE AND SETTLE DISPUTED CLAIM WITH EMPLOYERS MUTUAL CASUALTY INSURANCE COMPANY (Dkt. #206)

SCK, Inc. f/k/a S.C. Kiosks, Inc. and RadioShack Corporation (collectively, "SCK"), as and for their limited response to the above-captioned debtor and debtor in possession's (the "Debtor") Motion to Compromise and Settle Disputed Claims with Employers Mutual Casualty Insurance Company ("EMC") (Dkt. #206) (the "Motion"), respectfully represent:

- 1. The Debtor states in the Motion that "SCK had leased certain conveyors and racking to the Debtor, and a portion of that equipment also was damaged by the tornado." Those certain conveyors and racking were the Conveyor/Racking and Miscellaneous Owned Equipment (the "Equipment"), as defined in that certain sublease (the "Sublease") by and between the Debtor and SCK.<sup>1</sup>
- 2. After the casualties, the Debtor was required to pay to SCK, or to the lessor of the Subleased Equipment, as defined in the Sublease, (i) the Stipulated Loss Value of the

<sup>&</sup>lt;sup>1</sup> The Debtor purchased certain of the Subleased Equipment, as defined in the Sublease -- the Material Handling Equipment, as defined in the Sublease -- prior to the casualties by check dated September 7, 2007, in the amount of \$84,659.86, which included a purchase price of \$69,000, sales taxes of \$4,305 and property taxes of \$11,354.86. The Sublease respecting the Material Handling Equipment terminated upon the Debtor's purchase thereof.

